

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**DEJAY MONSON,**

**Defendant.**

**8:08CR388**

## ORDER

This matter is before the court on the defendant's motion for a further extension of time in which to file pretrial motions (Doc. 31). Upon review of the file, and for good cause shown, the court finds that the motion should be granted.

**IT IS ORDERED** that the motion (Doc. 31) is granted, as follows:

1. The deadline for filing pretrial motions is extended to **February 17, 2009**.
2. In accordance with [18 U.S.C. § 3161\(h\)\(8\)\(A\)](#), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 31, 2008 and February 17, 2009**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).
3. Defendant shall file an affidavit or declaration regarding speedy trial, as required by [NECrimR 12.1 and/or 12.3](#), as soon as is practicable.

**DATED December 31, 2008.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**